



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,320	11/26/2001	Wolfgang Bross	100111406-2	9508

7590 02/16/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

MCALLISTER, STEVEN B

ART UNIT	PAPER NUMBER
----------	--------------

3627

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,320

Applicant(s)

BROSS ET AL.

Examiner

Steven B. McAllister

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The examiner gratefully acknowledges the receipt of the references requested in the previous Office Action.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 35 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 35 is rejected because the claim disembodied software modules, not embedded in any tangible medium. It is noted that were it recited that the software is embedded on a tangible medium, the subject matter would be statutory.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15-17, 19-23, and 25-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15-17 are unclear because the preamble of the claims (in claim 14 is recited as a memory device), but claims 15-17 are set forth as directed to data records.

Claims 19-23 and 27-30 are unclear because the preamble of the claims (in claim 18 is recited as a program controlled apparatus), but claims 19-23 and 27-30 are set forth as directed to a software interface.

Claims 25, 26, and 31-34 are unclear because the preamble of the claims (in claim 124 is recited as a memory device), but claims 25, 26, and 31-34 are set forth as directed to data records.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Sullivan (2003/0093320).

Sullivan shows exchanging transaction-related data with at least a second transaction tax related application according to a standardized interface data model for

those applications, wherein the applications are located on different machines (par. 0037).

As to claim 2, 3, 5 and 6, each of the two transaction tax applications uses its own (different) application-specific data model since it handles different data, and the data elements of the respective data models are mapped to the interface data model.

As to claim 4, each of the respective application data models is different from the interface data model since it deals with different data.

As to claim 7 and 8, Sullivan shows all elements of the claim.

As to claim 9, since data passed through interface is stored in the data warehouse, the data warehouse data model comprises, equals or is a subset of the set of elements in the interface data model.

As to claim 10, at least one of the first and second applications is a logging module, a compliance module, a tax filing module, a tax calculation module, a tax content module, or a database for storing tax data.

As to claim 11, as broadly claimed, at least one of the applications is one of a basic and a micro service module.

As to claims 12 and 13, Sullivan shows that the mapping is governed by defined rules configurable by the user and implemented by a lookup table.

As to claims 14-17, Sullivan shows a memory device of a computer housing all claimed information.

Additionally, it is noted that the information the recitation of information stored on the apparatus is not further limiting on an apparatus claim, but is merely intended use of the apparatus.

As to claims 18 and 35, Sullivan shows a software interface for linking first and second tax related applications such that data are exchangeable according to a standard interface.

As to claim 19, 20, 22 and 23, each of the two transaction tax applications uses its own (different) application-specific data model since it handles different data, and the data elements of the respective data models are mapped to the interface data model.

As to claim 21, each of the respective application data models is different from the interface data model since it deals with different data.

As to claim 27, at least one of the first and second applications is a logging module, a compliance module, a tax filing module, a tax calculation module, a tax content module, or a database for storing tax data.

As to claim 28, as broadly claimed, at least one of the applications is one of a basic and a micro service module.

As to claims 29 and 30, Sullivan shows that the mapping is governed by defined rules configurable by the user and implemented by a lookup table.

As to claim 24, Sullivan shows a data warehouse module.

As to claim 25, Sullivan shows a software interface for linking the warehouse with at least the second application such that data is exchangeable between them according to a standard interface data model.

As to claim 26, since data passed through interface is stored in the data warehouse, the data warehouse data model comprises, equals or is a subset of the set of elements in the interface data model.

As to claim 31, at least one of the first and second applications is a logging module, a compliance module, a tax filing module, a tax calculation module, a tax content module, or a database for storing tax data.

As to claim 32, as broadly claimed, at least one of the applications is one of a basic and a micro service module.

As to claims 33 and 34, Sullivan shows that the mapping is governed by defined rules configurable by the user and implemented by a lookup table.

Additionally, as to claims 24-26 and 31-34, it is noted that the information the recitation of information stored on the apparatus is not further limiting on an apparatus claim, but is merely intended use of the apparatus.

Response to Arguments

Applicant's arguments filed 12/2/2004 have been fully considered but they are not persuasive.

Applicant argues that Sullivan does not show the recited software interface because all users must use the same software vendor and use the same protocols.

The examiner respectfully disagrees. Were it to be assumed that all software were provided by the same vendor and the same protocols were used, the recited software interface is still shown by Sullivan. The system of Sullivan is composed a many separate software applications – Tax Rate Manager, Exemption Manager, Address Manager, etc. Each one of these applications is a separate computer program performing a unique task within the system and having its own data model. Data is exchanged between the various applications in order to process the transaction information (e.g., determining the appropriate jurisdiction via address, forwarding that information to a module which then determines the tax rate, and forwarding that information to a module which determines the overall tax). A software interface is required to manage the transmission of different data between the different applications.

As best understood by the examiner, Applicant argues that application-specific data models do not exist because data may be mapped to different formats for sending to external retail systems. The examiner respectfully disagrees, while different interfacing systems may have differing formats, this is not relevant to the data handling within the system itself.

Regarding rules configurable by the user and implemented by a lookup table, it is noted that Sullivan shows for instance, in Figs. 3A-3F a user interface for configuring the rules which in a database system are implemented via lookup tables.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. McAllister whose telephone number is (703) 308-7052. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P. Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven B. McAllister

STEVE B. MCALLISTER
PRIMARY EXAMINER